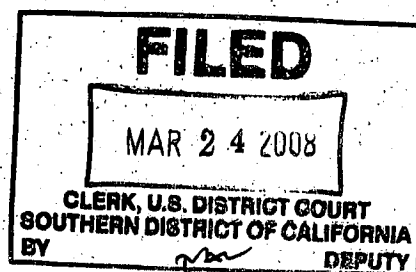


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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8259

UNITED STATES OF AMERICA,

Plaintiff,

v.

Victor Hugo PLASCENCIA,

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 & 960

Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

COUNT I

That on or about March 23, 2008, within the Southern District of California, defendant Victor Hugo PLASCENCIA did knowingly and intentionally import approximately 34.46 kilograms (75.81 pounds) of cocaine a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 952 & 960.

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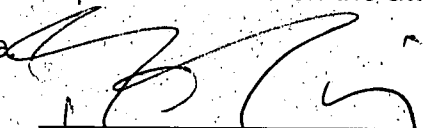
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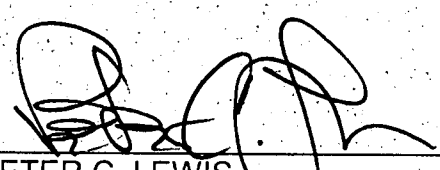
COUNT II

That on or about March 23, 2008, within the Southern District of California, defendant Victor Hugo PLASCENCIA did knowingly and intentionally import approximately .56 kilograms (1.23 pounds) of methamphetamine a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 952 & 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Special Agent  
U.S. Immigration and Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 24TH, DAY OF MARCH, 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

SUF

1 UNITED STATES OF AMERICA

2 v.

3 Victor Hugo PLASCENCIA

4 STATEMENT OF FACTS

5 This statement of facts is based on the reports, documents, and notes furnished  
6 to US Immigration and Customs Enforcement Special Agent Christopher Miller.

7 On March 23, 2008, at approximately 2024 hours, Victor Hugo PLASCENCIA  
8 entered the United States at the Calexico, California, West Port of Entry. PLASCENCIA  
9 was the driver and sole occupant of a 1994 white Mercedes Benz SL500.

10 PLASCENCIA gave the primary inspector CBPO H. Flores a negative oral  
11 customs declaration. CBPO H. Flores observed PLASCENCIA grasping the steering  
12 wheel and avoiding eye contact. PLASCENCIA stated that he was on his way home to  
13 Ontario. The vehicle was referred to the secondary lot for closer examination.

14 In the vehicle secondary lot, a CBPO O. Ocegüera requested assistance from  
15 CBPO E. Leon and his Human/Narcotic Detector Dog (HNDD) who alerted to the rear  
16 interior of the vehicle.

17 A subsequent inspection of the vehicle revealed packages in a non-factory  
18 compartment. A total of 33 packages (32 packages of cocaine and one of  
19 methamphetamine) were removed from the compartment. One of the packages was  
20 probed and a sample of a white powdery substance was obtained, which field tested  
21 positive for cocaine. The 32 packages had a combined net weight of approximately  
22 34.46 kilograms (75.81 pounds) of cocaine. The one package was probed and a  
23 crystal-like substance was obtained, which field tested positive for methamphetamine.  
24 The one package had a combined net weight of approximately .56 kilograms (1.23  
25 pounds) of methamphetamine.

26 PLASCENCIA was advised of his Constitutional Rights, per Miranda, which he  
27 acknowledged and waived, agreeing to answer questions. PLASCENCIA stated that he  
28 was to be paid \$3,000.00 to smuggle the aforementioned drug-laden vehicle into the  
29 United States. PLASCENCIA believed that the vehicle contained marijuana.

SUF

1 PLASCENCIA was placed under arrest and was booked into the Imperial County  
2 Jail pending his initial appearance before a U.S. Magistrate Judge.  
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